

ATTORNEYS AT LAW

**CARLTON
FIELDS**

Corporate Center Three at International Plaza
4221 W. Boy Scout Boulevard | Suite 1000
Tampa, Florida 33607-5780
P.O. Box 3239 | Tampa, Florida 33601-3239
813.223.7000 | fax 813.229.4133
www.carltonfields.com

March 16, 2021

Simon Gaugush
Attorney at Law
(813) 229-4227 Direct Dial
sgaugush@carltonfields.com

Atlanta
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The Honorable Michael A. Hammer
U.S. Magistrate Judge
United States District Court
District of New Jersey
Martin Luther King Building
U.S. Courthouse
50 Walnut Street
Newark, NJ 07101

Via CM/ECF

Re: Agreed to Request for Modification of Conditions of Release
United States v. Jobadiah Sinclair Weeks, Case No. 19-cr-877 (CCC)

Dear Judge Hammer:

Please accept this letter in lieu of a more formal motion on behalf of defendant Jobadiah Sinclair Weeks. We respectfully move to modify the Order Setting Conditions of Release for Mr. Weeks (Dkt. 153) reducing his release status from home incarceration to home detention. The U.S. Attorney's Office for the District of New Jersey and the U.S. Pretrial Services Office for the Districts of New Jersey and Colorado consent to the request.

On November 6, 2020, the Court set various conditions of release for Mr. Weeks, including home incarceration. (Doc. 153, at 2). Mr. Weeks seeks to remove the condition of home incarceration and replace it with home detention. This modification of conditions will allow Mr. Weeks to obtain employment and attend to personal needs at the discretion of the U.S. Pretrial Services Office. In particular, Mr. Weeks seeks to obtain employment as a laborer at Innerstate Recycling and to recommence volunteering at the Denver Rescue Mission. Further, subject to approval of the particular location from the U.S. Pretrial Services Office, Mr. Weeks seeks permission to relocate from his parents' residence in Arvada, Colorado to a different residence in the general area with his wife and daughter.

Carlton Fields, P.A.

Carlton Fields, P.A. practices law in California through Carlton Fields, LLP.

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Innerstate Recycling (<https://innerstaterecycling.com/>) is in the business of cleaning up work sites and resells the materials found there, such as aluminum, stainless steel, copper, and brass. Mr. Weeks has been offered a job to perform paid manual labor on at least a six-week project for Innerstate Recycling. This job will entail cleaning up a decommissioned work site located in Bennett, Colorado. Mr. Weeks hopes to continue on other projects for Innerstate Recycling after this particular project is completed.

The Denver Rescue Mission (<https://denverrescuemission.org>) is a non-profit organization that assists poor, hungry, and homeless men, women, and children in the Denver area. The Mission has been serving the most vulnerable in the Denver community for more than 128 years. Mr. Weeks has volunteered at the Mission in the past by serving meals to the homeless. He would like to resume his volunteering at the Denver Mission by serving meals two or three times per week. Breakfast is served at the Mission from 5:00 a.m. to 6:30 a.m., and dinner is served from 4:30 p.m. to 6:30 p.m. One of the Mission's main facilities is located approximately 13 miles from Mr. Weeks' house.

Since his release on conditions, Mr. Weeks has resided with his parents, wife, and daughter at his parents' residence in Arvada, Colorado. If allowed to modify his conditions of release from home incarceration to home detention, Mr. Weeks requests the ability to move to a different residence with his wife and daughter. Mr. Weeks' wife, Stephanie Weeks, has been serving as a third-party custodian since Mr. Weeks' release in early November. The government and the U.S. Pretrial Services Office are amenable to Mr. Weeks' relocation to a different residence as long as the residence is approved by the U.S. Pretrial Services Office and the source of payment for rent is disclosed and approved by the U.S. Pretrial Services Office. These conditions are reasonable and will ensure a suitable location for Mr. Weeks' home detention with his wife and daughter.

The posture of this case makes it especially appropriate to allow Mr. Weeks to obtain employment outside the home, resume volunteering, and relocate to a new residence with his wife and daughter. On February 26, 2021, the Court waived speedy trial for the remaining defendant, Matthew Goettsche, through July 16, 2021. (Doc. 185). Trial has not been set for this case. It is likely, however, that trial for the remaining defendant will not occur until the end of this year. Although Mr. Weeks has already resolved his case, it is likely that his sentencing hearing will occur after the trial and perhaps sentencing of the remaining defendant. Therefore, it will be many months, and perhaps a year, before Mr. Weeks' sentencing hearing. Mr. Weeks has been compliant with his conditions of release and it is appropriate to adjust those conditions to allow him to support his family, serve his community, and lessen the disruption to the lives of his parents and wife in the extended time before sentencing.

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Accordingly, Mr. Weeks seeks to modify his conditions of release from home incarceration to home detention which will include the following conditions:

- Mr. Weeks will continue to reside at the Arvada residence until the U.S. Pretrial Services Office approves Mr. Weeks' relocation to a new residence in the District of Colorado;
- Mr. Weeks will be permitted to obtain employment and engage in approved forms of community service outside the home;
- Mr. Weeks' parents and wife will continue to serve as third-party custodians;
- The secured bond will continue to remain in place; and
- Mr. Weeks will continue to be subject to 24/7 electronic monitoring.

This substantial, but modified, series of conditions of supervision will allow Mr. Weeks to be productive, leave his home and work, but still remain subject to 24/7 monitoring. Mr. Weeks' request to modify the conditions of release has been agreed to by AUSA Anthony Torntore with the U.S. Attorney's Office, David Hernandez with the U.S. Pretrial Services Office for the District of New Jersey, and Carlos Morales with the U.S. Pretrial Services Office for the District of Colorado.

For the foregoing reasons, Mr. Weeks' request to modify the conditions of his release from home incarceration to home detention should be granted.

Respectfully submitted,

Carlton Fields



Simon A. Gaugush
Michael L. Yaeger

cc: Government counsel of record (via CM/ECF)
U.S. Pretrial Services Office (via email)